

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
ROBERT ALCANTARA,	:	
	:	22 Cr. 152 (VSB)
Defendant.	:	
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WHEREAS, on or about March 8, 2022, ROBERT ALCANTARA (the “Defendant”), was charged in a four-count Indictment, 22 Cr. 152 (VSB) (the “Indictment”), with conspiracy to traffic firearms, in violation of Title 18, United States Code, Section 371 (Count One); firearms trafficking, in violation of Title 18, United States Code, Sections 922(a)(1)(A), 924(n), and 2 (Count Two); conspiracy to launder money, in violation of Title 18, United States Code, Section 1956(h) (Count Three); and false statements, in violation of Title 18, United States Code, Sections 1001 and 2 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Count Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of any and all property, real or personal, involved in the offense charged in Count Three of the Indictment, including but not limited to a sum of money in United States currency representing the amount of property involved in the commission of the offense charged in Count Three of the Indictment;

WHEREAS, on or about August 2, 2023, the Defendant pled guilty to Counts One and Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count Three of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1),

a sum of money equal to \$127,622 in United States currency, representing property involved in the commission of the offense charged in Count Three of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$127,622 in United States currency, representing the amount of property involved in the offense charged in Count Three of the Indictment; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the property involved in the offense charged in Count Three of the Indictment cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Kevin Mead, of counsel, and the Defendant and his counsel, Ana M. Davide, Esq., that:

1. As a result of the offenses charged in Counts One and Three of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$127,622 in United States currency (the “Money Judgment”), representing the amount of property involved in the offense charged in Count Three of the Indictment, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant ROBERT ALCANTARA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney’s Office, Southern District of New

York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Kevin Mead 12/27/2023
KEVIN MEAD DATE
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2211

ROBERT ALCANTARA

By: Ana Davide 12/28/2023
ANA M. DAVIDE, ESQ. DATE
Attorney for Defendant
420 South Dixie Highway Suite 4B
Coral Gables, FL 33146

SO ORDERED:

Kernon Broderick 01/10/2024
HONORABLE VERNON S. BRODERICK DATE
UNITED STATES DISTRICT JUDGE